

ALSTON & BIRD

90 Park Avenue
New York, NY 10016
212-210-9400 | Fax: 212-210-9444

Jenny Kramer

Direct Dial: 212-210-9420

Email: jenny.kramer@alston.com

February 27, 2023

Honorable Jessica S. Allen
United States Magistrate Judge
U.S. District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, Room MLK 2B
Newark, NJ 07101

Re: *Sandoz Inc. v. United Therapeutics Corp.*, Case No. 2:19-cv-10170-BRM-JSA (D.N.J.)

Dear Judge Allen:

I write on behalf of both Plaintiff Sandoz Inc. and Defendant United Therapeutics Corporation (the “Parties”) in response to your February 22, 2023 text order requesting an update from the Parties addressing whether they are prepared to proceed with rescheduling the Final Pretrial Conference.

As confirmed by the Special Master’s February 17, 2023 Order (Dkt. 402), no discovery disputes remain in this matter. The Parties are prepared to reschedule the Final Pretrial Conference, but the passage of time and certain other developments have rendered parts of the Parties’ June 9, 2022 Proposed Final Pretrial Order obsolete. In light of that, the Parties propose to file an Amended Proposed Final Pretrial Order on March 3. The amendment will not add witnesses, exhibits, or issues, but will be designed instead to further narrow the issues for trial. Counsel would then be available for an in-person or telephonic Final Pretrial Conference on March 13-17, April 3, 5, or 10-13.

Respectfully submitted,

/s/ Jenny Kramer

Jenny Kramer

cc: All counsel of record (via ECF)